

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

Item No. 44

**CA No. 351/2019, CA Nos. 130/2019,
244/2019, 274/2019, 328/2019, 329/2019,
330/2019, 331/2019, 332/2019, 333/2019,
334/2019, 335/2019, 336/2019, 337/2019,
338/2019, 352/2019, 353/2019, 441/2019,
797/2019, 471/2019, 570/2020, 597/2019,
605/2019, 45/2020, 46/2020 IA Nos.
255/2021, 1427/2022, 1429/2022,
1430/2022, 1441/2022 & 1439/2022**

In

**CP (IB) No. 155/Chd/Hry/2018
(Admitted)**

**Under Sections 31, 60(5)(b) & (c), 43 & 44
of the Insolvency and Bankruptcy Code,
2016 and Rule 11 of NCLT Rules, 2016**

In the matter of:

Hind Tradex Limited

...Operational Creditor

Vs.

Lakshmi Precisions Screws Ltd.

...Corporate Debtor

Present through Video Conferencing:

Mr. Manish Jain, Mr. Shekhar Raj Sharma & Ms. Divya Sharma,
Advocates for the applicant in CA No. 351/2019 & 797/2019.

Mr. Savar Mahajan with Ms. Swati Saluja, Advocates for
respondent-Resolution Professional in CA Nos. 351/2019,
130/2019, 328/2019, 329/2019, 330/2019, 331/2019, 332/2019,
333/2019, 334/2019, 335/2019, 336/2019, 337/2019, 338/2019,
352/2019, 441/2019, 471/2019 & 605/2019 and for respondent
No. 1-Resolution Professional in CA Nos. 797/2019, 45/2020,
46/2020 & 570/2020 and for applicant-Resolution Professional in
CA Nos. 244/2019, 274/2019, IA Nos. 255/2021, 1427/2022,
1429/2022, 1430/2022, 1441/2022 & 1439/2022.

Mr. Rakesh Gupta with Mr. Rakshit Gupta, Advocates for
respondent-Committee of Creditors and for Canara Bank in CA
No. 351/2019 and for respondent No. 2 in CA No. 353/2019 and

CA No. 351/2019, CA Nos. 130/2019, 244/2019, 274/2019, 328/2019, 329/2019, 330/2019, 331/2019, 332/2019,
333/2019, 334/2019, 335/2019, 336/2019, 337/2019, 338/2019, 352/2019, 353/2019, 441/2019, 797/2019, 471/2019,
570/2020, 597/2019, 605/2019, 45/2020, 46/2020 IA Nos. 255/2021, 1427/2022, 1429/2022, 1430/2022, 1441/2022 &
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for Committee of Creditors in CA Nos. 274/2019 and for respondent No. 2 in CA No. 570/2020.

Mr. Nahush Jain, Advocate for applicant in CA No. 352/2019.

Mr. Sourabh Goel, Senior Standing Counsel, CBIC for CGST Rohtak in CA Nos. 130/2019 & 441/2019 and for respondent No. 2-GST Department in CA Nos. 244/2019 & 797/2019.

Mr. Ashish Chaudhary Advocate for Respondent No. 3-EPFO in CA No. 244/2019 and for applicant-EPFO in CA Nos. 570/2020 & 605/2019.

None for respondent No. 1 in CA No. 244/2019.

Mr. Abhinav Sood, Advocate with Ms. Anmol Sood, Advocate for applicant in CA No. 328/2019.

Mr. Baldev Singh Badhran, Advocate for applicant in CA Nos. 329/2019, 330/2019, 331/2019, 332/2019, 333/2019, 334/2019, 335/2019, 336/2019, 337/2019 & 338/2019.

Mr. Krishan Vrind Jain, Practising Chartered Accountant for applicant in CA Nos. 353/2019 & 597/2019.

Mr. Yogesh Putney, Senior Standing Counsel with Mr. Harveet Singh Sehgal and Mr. Yatin Chadha, Advocates for respondent No. 4-Income Tax Department in CA Nos. 353/2019 & 597/2019.

Mr. Swarnendu Chatterjee with Ms. Deepakshi Garg and Mr. Yashwardhan Singh, Advocates for applicant in CA Nos. 45/2020 & 46/2020.

None for the applicant in CA No. 471/2019.

CA No. 130/2019

This is an application filed by the CGST for recall/review of Order dated 26.11.2018. Heard. Order reserved.

CA No. 441/2019

2. This is an application filed by the CGST for a direction to clear the liability of GST of the respondent for pre-CIRP period. Heard. Order reserved.

CA No. 244/2019

3. Short written submissions filed by applicant-Resolution Professional vide Diary No. 01431/3 dated 20.09.2022 is taken on record. Heard. Order reserved.

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CA No. 274/2019

4. List on 13.12.2022 for consideration.

CA No. 797/2019

5. Despite earlier opportunities including one last opportunity given to the learned counsel for the GST Department, written submission has not filed but the learned counsel insisted on making oral submissions. He is strongly advised to stop this practice and submit his submissions in time and not to waste judicial time through frivolous and inaccurate oral submissions without reference to facts. A copy of this order may be forwarded to the concerned Department to bring to their notice the behavior of their counsel before the Bench. In view of this the department's right to file reply is closed. Learned counsel for the applicant is directed to e-mail a copy of this order to the Applicant i.e., Central GST Department to bring to their notice the aforementioned observations of this Bench and file a compliance affidavit within two weeks' time. Heard. Order reserved.

CA Nos. 570/2020, 605/2019, 45/2020, 46/2020, 597/2019

6. Heard. Orders reserved.

CA No. 328/2019

7. This is an application filed by the workmen of Plant-I. It is stated by the learned counsel for the applicant that as recorded in our daily order dated 07.11.2019, the RP had admitted an amount of Rs. 6,67,00,000/- as an industrial award in favour of the workmen and also stated that the same would be forwarded to the Successful Resolution Applicant for its consideration. Pleadings are complete. Heard. Order reserved.

CA No. 351/2019, CA Nos. 130/2019, 244/2019, 274/2019, 328/2019, 329/2019, 330/2019, 331/2019, 332/2019, 333/2019, 334/2019, 335/2019, 336/2019, 337/2019, 338/2019, 352/2019, 353/2019, 441/2019, 797/2019, 471/2019, 570/2020, 597/2019, 605/2019, 45/2020, 46/2020 IA Nos. 255/2021, 1427/2022, 1429/2022, 1430/2022, 1441/2022 & 1439/2022

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CA No. 353/2019

8. Written submissions on behalf of respondent No. 2-COC filed vide Diary No. 01327/5 dated 10.10.2022 is taken on record. Heard. Orders reserved.

CA Nos. 329/2019, 330/2019, 331/2019, 332/2019, 333/2019, 334/2019, 335/2019, 336/2019, 337/2019 & 338/2019

9. Synopsis on behalf of applicant in all the applications filed vide Diary No. 01430/2 dated 17.10.2022 is taken on record. Heard. Orders reserved.

CA No. 351/2019

10. Written submissions on behalf of respondent No. 2-Canara Bank filed vide Diary No. 01457/7 dated 10.10.2022 is taken on record. Heard. Orders reserved.

CA No. 352/2019

11. Written submissions on behalf of respondent-Resolution Professional filed vide Diary No. 01451/2 dated 12.09.2022 is taken on record. Further time is again sought on behalf of applicant for filing the hard copy of the short written submissions. He is directed to file the hard copy of the same in the Registry within two weeks with a copy in advance to the counsel opposite. Heard. Orders reserved.

CA No. 471/2019

12. Compliance affidavit filed by respondent-Resolution Professional vide Diary No. 01421/7 dated 08.08.2022 is taken on record and reply filed by respondent-Resolution Professional vide Diary No. 01421/2 dated 09.09.2022 is

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taken also on record. Considering the fact that the applicant has not been appearing in the present application, it is presumed that the applicant is not interested in pursuing this application. Hence, CA No. 471/2019 is dismissed for non-appearance of applicant.

IA No. 255/2021

13. Compliance affidavit stated to be filed vide Diary No. 1393/01 dated 08.08.2022 but the same is not available to the Bench. Registry is directed to trace out the same and put up in the case file. Heard. Orders reserved.

IA No. 1441/2022

14. The present application has been filed for taking on record the affidavit filed by the Successful Resolution Applicant. Heard. The same is taken on record. IA No. 1441/2022 is, thus, allowed and disposed of.

IA Nos. 1427/2022, 1429/2022 & 1430/2022

15. These are segregated applications filed by applicant-Resolution Professional. Heard. Issue notice of these applications to the respondent(s). The applicant shall collect the notices from the Registry and send the same by speed post as well as by e-mail, if available, immediately to the respondent(s) at their registered address attaching therewith copy of the application and the entire paper book and the copy of this order.

16. In case, the service of speed post on the aforesaid respondent is not effected, the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area.

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17. The applicant shall file affidavit of service supported by postal receipt, tracking report, paper clippings and copy of e-mail within two weeks.

18. Reply be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed one week thereafter with a copy in advance to the counsel opposite.

19. List on 13.12.2022.

IA No. 1439/2022

20. 50th progress report for the period from 01.07.2022 to 31.07.2022 alongwith affidavit has been filed by Resolution Professional through counsel. The same is taken on record subject to just exceptions. Thus, IA No. 1439/2022 is disposed of accordingly.

Sd/- 28.10.2022
(Subrata Kumar Dash)
Member (Technical)

Sd/- 28.10.22
(Harnam Singh Thakur)
Member (Judicial)

October 28, 2022
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